

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

D&T PARTNERS, LLC, successor-in-interest to ACET Venture Partners, LLC, <i>et al</i> <i>Plaintiff,</i> v. BAYMARK PARTNERS, LP, <i>et al.</i> , <i>Defendants.</i>	§ § § § § § § § § §	Civil Cause: 3:21-CV-1171-B
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**WINDSPEED EMPLOYEES’ MOTION TO DISMISS SECOND
AMENDED COMPLAINT CLAIMS PURSUANT TO RULE 12(b)(6)**

TO THE HON. JANE J. BOYLE;
UNITED STATES DISTRICT JUDGE:

COMES NOW in this cause defendants Ms. Zhexian Lin (“Lin”), Ms. Dana Marie Tomerlin (“Tomerlin”), Ms. Padasamai Vattana (“Vattana”); Ms. Vanessa Torres (“Torres” and together with Lin, Tomerlin and Vattana the “Windspeed Employees”), and files this, their *Windspeed Employees’ Motion to Dismiss Second Amended Complaint Claims Pursuant to Rule 12(b)(6)* (the “Motion”). In support of the Motion, the Windspeed Employees would respectfully show the Court as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over the controversy under 28 U.S.C. § 1332.
2. Venue is proper in the Northern District of Texas, Dallas Division, under 28 U.S.C. § 1391(b)(2) because a substantial part of the events and omissions that give rise to the controversy occurred in this Division and District. The statutory predicate for this Motion is FEDERAL RULE OF CIVIL PROCEDURE 12(b)(6).

Dated: July 22, 2022
Dallas, Texas

HIGIER ALLEN & LAUTIN, PC

By: /s/ Jason T. Rodriguez
Jason T. Rodriguez
Texas State Bar No. 24042827
Attorney-In-Charge

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**ATTORNEYS FOR WINDSPEED
TRADING, LLC, MR. WILLIAM SZETO,
MS. ZHEXIAN LIN, MS. DANA MARIE
TOMERLIN, MS. PADASAMAI
VATTANA; MS. VANESSA TORRES**

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of July 2022, a true and correct copy of the foregoing document was served *via* the Court's ECF system and by email to the following parties.

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